

UNITED STATES DISTRICT COURT

for the

Middle District of Alabama

United States of America)

v.)

AARON MCCRAY)

Case No: 1:96cr114-ID-3USM No: 09795-002Date of Previous Judgment: 8/8/2000

N/A

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 324 months is reduced to 262.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 38Amended Offense Level: 35Criminal History Category: VCriminal History Category: VPrevious Guideline Range: 360 to Life monthsAmended Guideline Range: 262 to 327 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.


☒ Other (explain): The amended sentence consists of 262 months imprisonment in Count 1 and 240 months imprisonment on Counts 9 and 12, each Count to be served concurrently for a total term of 262 months.

III. ADDITIONAL COMMENTS

The Court has considered the factors set forth in 18 U.S.C. 3553(a) in making its reduction determination pursuant to 18 U.S.C. § 3582(c)(2)/Amendment 706.

Except as provided above, all provisions of the judgment dated 8/8/2000 shall remain in effect.

IT IS SO ORDERED.Order Date: 8/19/2009


Judge's signature

Effective Date: 9/2/2009
(if different from order date)

IRA DEMENT
SENIOR U.S. DISTRICT JUDGE
Printed name and title